**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**
**CRIMINAL BAIL APPLICATION NO. 8287 OF 2005**
IN
CRIMINAL APPEAL NO.1016 OF 2005

Dattatraya Kisan Kale ...Applicant.
V/s.
State of Maharashtra ...Respondents.

Shri P.R.Arjunwadkar for Applicant.
Mr.V.V.Nikam, A.P.P. for Respondent/State.

**CORAM: D.B.BHOSALE, J.**
**DATE : 28th June, 2006.**

**P.C.:**

1. The accused was tried for the offences punishable under Sections 326, 307 and 324 of the Indian Penal Code. However, he has been convicted under Section 326 and sentenced to suffer R.I. 5 years. The alleged incident occurred in September, 1999 when there was fight between the applicant/accused and the complainant. It appears that the cross complaints were lodged by both sides. The case registered on the basis of complaint lodged by the accused against the complainant, however, came to be dismissed. I have perused the judgment placed before me.

2. Considering the overall facts and circumstances of the case and that the appeal is not likely to be heard immediately and considering that the accused did not abuse the liberty while on bail pending trial, I am inclined to

enlarge him on bail. Hence, the following order:

3. The applicant may be released on the same bail as in the trial Court, subject to furnishing fresh bond. The applicant, on being released, shall report on first Saturday of every month between 10.00 and 11.00 a.m. for a period of two years to the concerned police station.

4. The application is disposed of.

**(D.B.BHOSALE, J.)**